

9200/2858

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re Application of Atty. Docket

DERK JAN ADELERHOF ET AL

PHN 17,556

Serial No. 09/787,457



Group Art Unit:

Filed: MARCH 19, 2001

Title: METHOD OF MANUFACTURING A MAGNETIC TUNNEL JUNCTION DEVICE

Commissioner for Patents, Washington, D.C. 20231

PETITION TO WITHDRAWN HOLDING OF ABANDONMENT BASED ON
FAILURE TO REPLY TO NOTICE TO FILE MISSING PARTS

Sir:

We received a NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 mailed on December 2, 2002 (attached as Exhibit 1) which states that we failed to timely or properly reply to the Notice to File Missing parts (attached as Exhibit 2) dated July 6, 2002.

The NOTIFICATION OF MISSING REQUIREMENTS which was received from the Patent and Trademark Office on July 6, 2001 shows all items checked in Box 1 which states in effect that the Patent and Trademark Office did receive the required items, mainly; the U.S. National Basic Fee, copy of the International application, oath/declaration of the inventors, isa/210-references, assignment, information disclosure statement, appointment of associates and the authorization to charge deposit account. Box 3, which would require certain items, is not checked at all.

The acknowledgment of receipt postcard (attached as Exhibit 3) bears a Patent and Trademark Office mailroom stamp imprinted on it indicating that the documents listed above were received by the Patent and Trademark Office mailroom on March 19, 2001.

Accordingly, it is requested that the Notice to File Missing Parts be withdrawn and the status of the above-identified application be changed from incomplete to complete.

Respectfully requested,



Michael E. Belk, Reg. No. 33,357
Attorney
Reg. No. 33,357

Enclosures: Exh. 1: Copy of December 2, 2002 Notice of Abandonment
Exh. 2: Copy of July 6, 2001 Notification of Missing Requirements
Exh. 3: Copy of acknowledgment of receipt postcard

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date
with the United States Postal Service as first-class mail in an envelope addressed to:
COMMISSIONER FOR PATENTS
Washington, D.C. 20231

On January 30, 2003

By Neen Chapc